

JUDICIAL MERIT SELECTION COMMISSION  
Sworn Statement to be included in Transcript of Public Hearings

Family Court  
(New Candidate)

Full Name: Caroline W. Streater  
Business Address: 2712 Middleburg Drive, Suite 106  
Columbia, SC 29204  
Business Telephone: (803) 576-2594

1. Why do you want to serve as a Family Court Judge?

I have served as a magistrate for more than seven years. While I do preside over criminal and civil jury trials, I predominantly preside in bench trials. I have found that I enjoy the challenge that comes in assessing the evidence as well as determining and applying the pertinent law. This experience would serve me well as a Family Court Judge. My background in abuse and neglect as well as juvenile delinquency proceedings has provided me with a passion for children and the laws that impact them. Serving as a Family Court Judge would allow me to use my skills in such a way that serves one of my passions. I am also attracted to the at large designation for this seat. Having clerked for a circuit court judge immediately upon graduation from law school, I know that I would enjoy traveling to and working in the judicial circuits throughout the state.

2. Do you plan to serve your full term if elected? Yes

3. Do you have any plans to return to private practice one day? No

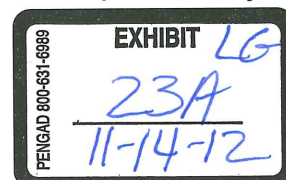
4. Have you met the statutory requirements for this position regarding age, residence, and years of practice? Yes

5. What is your philosophy regarding *ex parte* communications?

Are there circumstances under which you could envision *ex parte* communications being tolerated? A judge should not engage in *ex parte* communications. There are circumstances where *ex parte* communications are tolerated. Those circumstances are limited to communications regarding administrative matters or emergencies that do not provide a procedural or tactical advantage to one party and all other parties must promptly be notified of the communication and have an opportunity to respond. There are other limited circumstances described in Canon 3.

6. What is your philosophy on recusal, especially in situations in which lawyer-legislators, former associates, or law partners are to appear before you?

A judge must avoid the even the appearance of impropriety in order to sustain the public's faith in an impartial system of justice. I



believe that recusal, if there is any reasonable question as to impartiality, is always proper.

7. If you disclosed something that had the appearance of bias, but you believed it would not actually prejudice your impartiality, what deference would you give a party that requested your recusal? Would you grant such a motion?

If my impartiality could be reasonably questioned, regardless of whether I believe I could be impartial, I would recuse myself.

8. How would you handle the appearance of impropriety because of the financial or social involvement of your spouse or a close relative?

The appearance of impropriety could cause my impartiality to be reasonably questioned, so under the Canon, I would recuse myself.

9. What standards would you set for yourself regarding the acceptance of gifts or social hospitality?

I would abide by the provisions of Canon 4 on these issues. I would not accept any gifts from lawyers or litigants who could potentially appear before me. I would accept offers of social hospitality that comply with the Canons.

10. How would you handle a situation in which you became aware of misconduct of a lawyer or of a fellow judge?

Under the requirements of Canon 3, I would be required to report it to the appropriate authority.

11. Are you affiliated with any political parties, boards or commissions that, if you were elected, would need to be re-evaluated? No I am not.

12. Do you have any business activities that you would envision remaining involved with if elected to the bench? No, I do not.

13. Since family court judges do not have law clerks, how would you handle the drafting of orders?

As a magistrate, I often draft my own orders in matters that I have taken under advisement. Otherwise, I would request that the lawyer on the prevailing side draft the order and submit the draft for approval by the opposing lawyer. Once both lawyers agree on a draft then I would review the order, make any changes I believe are required and then once again provide to all parties for review before signing.

14. If elected, what method would you use to ensure that you and your staff meet deadlines?

I would use a calendar and an administrative tickler system as well as work closely with the Clerk of Court's office to ensure that I do not operate my office in such a way as to create delay.

15. If elected, what specific actions or steps would you take to ensure that the guidelines of the Guardian Ad Litem statutes are followed during the pendency of a case?

I would require that all guardians appointed through my order meet the qualifications and continuing education requirements set

forth in the SC Code of Laws. I would also follow the statutory guidelines in providing for reasonable fees and costs and the method of payment in the order of appointment. I would promptly schedule hearings upon motion by either party or the guardian to address any problems or questions related to the guardian's responsibilities of payment.

16. What is your philosophy on "judicial activism," and what effect should judges have in setting or promoting public policy?

While judges should be aware of the impact of their decisions, they should not engage in "activism." A judge should apply the relevant law using the rules of interpretation and construction as set forth by the appellate courts.

17. Canon 4 allows a judge to engage in activities to improve the law, legal system, and administration of justice. What activities would you plan to undertake to further this improvement of the legal system?

I would be eager to accept any assignments made by the Chief Justice that involve improvement in any of these areas. I would attend any continuing education courses as well as accept invitations to speak to groups on these topics.

18. Do you feel that the pressure of serving as a judge would strain personal relationships (i.e. spouse, children, friends, or relatives)? How would you plan to address this?

As a magistrate, I am often questioned by friends and family matters on legal issues. I generally find them to be understanding when I must respond that I cannot advise them on these matters nor can I refer them to a particular lawyer or list of lawyers. I don't believe that my service as a magistrate has strained my relationship with my children or spouse.

19. Would you give any special considerations to a *pro se* litigant in family court?

As a magistrate I preside over matters with *pro se* litigants on a routine basis. I do give *pro se* litigants special consideration in that I take a significant amount of time at the beginning of every session to explain the proceedings and their significance as well as some general remarks regarding the presentation of evidence. I often have to remind *pro se* litigants throughout the proceeding.

20. Are you involved in any active investments from which you derive additional income that might impair your appearance of impartiality?

No

21. Would you hear a case where you or a member of your family held a *de minimis* financial interest in a party involved?

Not if I was aware of the interest.

22. Do you belong to any organizations that discriminate based on race, religion, or gender? No

23. Have you met the mandatory minimum hours requirement for continuing legal education courses? Yes
24. What percentage of your legal experience (including experience as a special appointed judge or referee) concerns the following areas? If you do not have experience in one of these areas, can you suggest how you would compensate for that particular area of practice?
- a. Divorce and equitable distribution: 0%; I would dedicate significant time and energy to reviewing relevant decisions and treatises on these issues. I do have a great deal of experience serving as a fact finder in bench trials. I believe this would aid me significantly in assessing the weight and credibility of evidence and ultimately determining the facts to which the law must be applied.
  - b. Child custody: 2%
  - c. Adoption: 5%
  - d. Abuse and neglect: 25%
  - e. Juvenile cases: 30%
25. What do you feel is the appropriate demeanor for a judge?
- All of a judge's statements and actions should uphold the integrity and independence of the judiciary. Conduct should always demonstrate respect for and compliance with the law. In the courtroom, it is important for a judge to always be attentive. A judge should be also remain calm and pleasant but must control the proceedings so that the courtroom remains orderly.
26. Would the rules that you expressed in your previous answer apply only while you are on the bench or in chambers, or would these rules apply seven days a week, twenty-four hours a day? Always
27. Do you feel that it is ever appropriate to be angry with a member of the public who would appear before you, especially with a criminal defendant? Is anger ever appropriate in dealing with attorneys or a pro se litigant?
- No. If you are angry, then you are not be fair and impartial.
28. How much money have you spent on your campaign? If the amount is over \$100, has that been reported to the House and Senate Ethics Committees? None
29. If you are a sitting judge, have you used judicial letterhead or the services of your staff while campaigning for this office? No
30. Have you sought or received the pledge of any legislator prior to this date? No
31. Have you sought or been offered a conditional pledge of support by any legislator pending the outcome of your screening? No
32. Have you asked any third parties to contact members of the General Assembly on your behalf before the final and formal screening report has been released? Are you aware of any friends or colleagues contacting members of the General Assembly on your behalf? No

